

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JAMES HODGE,

Plaintiffs,

Civil Action No.:
CV 03-6279(TCP)(AKT)

-against-

CITY OF LONG BEACH, LONG BEACH POLICE
DEPARTMENT, POLICE OFFICER FILES, in his
Individual and official capacity, POLICE OFFICER
WILLIAMS in his individual and official capacity,
POLICE OFFICERS JOHN DOE 1-10, in their official
and individual capacities, (those being the names of
officers who were present and committed wrongful
acts and whose names are known by the other
Defendants),

Defendants.

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**NOTICE OF MOTION FOR SUMMARY JUDGMENT
PURSUANT TO FED. R. CIV. P. 56**

PLEASE TAKE NOTICE, that upon the annexed Declaration of John S. Ciulla, dated March 20, 2009, and the exhibits annexed thereto, the Statement of Uncontested Material Facts Pursuant to Local Rule 56.1, dated March 20, 2009, and the Memorandum of Law, dated March 20, 2009, defendants, The City of Long Beach, Long Beach Police Department, Police Officer Robert Fales, s/h/a Police Officer Files, in his individual and official capacity, and Police Officer David Williams, s/h/a Police Officer Williams, in his individual and official capacity, will move this Court, before the Honorable Thomas C. Platt, United States District Judge, on June 26, 2009 at 9:30 a.m., or such other date which may be selected by the Court, at the United States Courthouse, 100 Federal

Plaza, Central Islip, New York for summary judgment dismissing all claims asserted by plaintiff
James Hodge in the Amended Complaint pursuant to Fed. R. Civ. P. 56.

Dated: Garden City, New York
March 20, 2009

Respectfully Submitted,

/S/

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